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FORT LAUDERDALE CITY COMMISSION
JANUARY 3, 2001**

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**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JANUARY 3, 2001**

Meeting was called to order at 6:00 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present:	Commissioner Gloria F. Katz Commissioner Carlton B. Moore (6:05) Commissioner Cindi Hutchinson Commissioner Tim Smith Mayor Jim Naugle
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Absent:	None
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Also Present:	City Manager City Attorney City Clerk Sergeant At Arms	F. T. Johnson Dennis E. Lyles Lucy Masliah Sergeant Brabble
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Invocation was offered by *Pastor Fidel Gomez*, Calvary Chapel of Fort Lauderdale.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting December 19, 2000

Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, and Mayor Naugle. NAYS: none.

NOTE: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

PRESENTATIONS (OB)

1. Smoke Detector Test

Commissioner Smith demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same. Lt. Chris Weir announced that there had been a devastating fire in Delaware in which 11 people had been killed, and he reminded everyone to be careful during the cold weather when using space heaters.

At 6:05 P.M., Commissioner Moore arrived at the meeting.

2. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- Sergeant Frank Sebregandio, Detectives Luis Alvarez, Jeff Bruell and Kim Hancock, and PSA Kelly Dombrowski, of the Police Department;
- Bobby Johnson, of the Public Services Department;
- Larry Smith, of the Parks & Recreation Department; and
- Jorge J. Mederos, Steve M. Thomas, and Georgann Kaspriske, of the Fire-Rescue Department.

The City Manager wished to take this opportunity to announce that the City now had onboard its long-awaited Haitian Liaison. In addition, several other positions had been filled to address Equal Employment Opportunity needs. He introduced *Mr. James Crown*, the City's new lead investigator who had worked in Miami for 28 years. Mrs. Crown was also present. The City Manager also wished to announce the promotion of *Ms. Faye Outlaw* to the position of Assistant Director of Community & Economic Development.

3. Certificate of Achievement for Excellence in Financial Reporting

The City Manager recognized the Finance Department for winning the Government Finance Officers Association of the United States and Canada's Certificate of Achievement for Excellence in Financial Reporting. He noted that the City of Fort Lauderdale had won this award for the 22nd consecutive year, which positively affected the City's bond rating and credit rating, as well as how Fort Lauderdale was viewed as a municipality across the country. Mr. Damon Adams, Director of Finance, presented a copy of the winning report, which reflected the City's financial story fully and clearly. He expressed appreciation for his fine staff, who were already working toward winning this award for the 23rd time.

CONSENT AGENDA (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require detailed review or discussion. Items will be enacted by one motion; if discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Mayor Naugle announced that **Item No. M-14** had been withdrawn from the Agenda.

Event Agreement – Sailboat Bend Home and Garden Festival (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Sailboat Bend Civic Association** to indemnify, protect, and hold harmless the City from any liability in connection with the **Sailboat Bend Home and Garden Festival** to be held **Sunday, February 18, 2001 from 12:00 noon to 5:00 p.m.** in the Sailboat Bend neighborhood and Esplanade Park; and further authorizing the closings of Waverly Road and S.W. 4 Street from S.W. 10 Avenue to S.W. 11 Avenue (the two streets bordering Major Lauderdale Park), the eastbound curb lane of S.W. 2 Street from S.W. 4 Avenue to S.W. 5 Avenue, and S.W. 4 Avenue from S.W. 2 Street to the cul-de-sac at Riverwalk from 7:00 a.m. to 7:00 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1917 from City Manager.

Event Agreement – Zoomers Take Back The Beach (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Big Brothers Big Sisters of Broward, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Zoomers Take Back The Beach** to be held **Saturday and Sunday, February 17 and 18, 2001 from 10:00 a.m. to 6:00 p.m.** at South Beach.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1918 from City Manager.

Event Agreement – 22nd Annual Greek Festival (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Saint Demetrios Greek Orthodox Church** to indemnify, protect, and hold harmless the City from any liability in connection with the **22nd Annual Greek Festival** to be held **Friday and Saturday, February 9 and 10, 2001 from 11:00 a.m. to 11:00 p.m.; and Sunday, February 11, 2001 from 1:00 p.m. to 9:00 p.m.**

Recommend: Motion to approve.

Exhibit: Memo No. 00-1916 from City Manager.

**Executive Airport Task Order –
Kimley Horn and Associates – Tall Structure Evaluation (M-4)**

A motion authorizing the proper City officials to execute a Task Order with Kimley Horn and Associates in the amount of \$63,000 for a tall structure evaluation and study.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1907 from City Manager.

**Transfer of General Fund Contingencies and Agreement –
Florida Atlantic University (FAU) - Small Business Development Center (M-5)**

A motion authorizing the proper City officials to execute an agreement with FAU for the Small Business Development Center, and further authorizing the transfer of \$15,000 from General Fund Contingencies to PED030301-3199 (Professional Services).

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1896 from City Manager.

**Agreement – Urban League of Broward County and Broward Employment
and Training Administration (BETA) – Community Work Experience Program (M-6)**

A motion authorizing the proper City officials to execute an agreement with the Urban League of Broward County and BETA for the Community Work Experience Program (CWEP).

Recommend: Motion to approve.

Exhibit: Memo No. 00-1762 from City Manager.

Task Order – Evans Environmental & Geological Science (EE&G) Inc. – Project 10000 - Executive Airport Airfield Electrical, Lighting and Signage Rehabilitation (M-7)

A motion authorizing the proper City officials to execute a Task Order with EE&G Inc. in the amount of \$29,104.25 for obtaining permits and for the relocation of burrowing owls and gopher tortoises at Executive Airport. (Also see Item M-8 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1883 from City Manager.

Change Order No. 1 – H. L. Pruitt Corporation - Project 10000 - Executive Airport Airfield Electrical, Lighting and Signage Rehabilitation (M-8)

A motion authorizing the proper City officials to execute Change Order No. 1 with H. L. Pruitt Corporation in the amount of \$219,759.30 for additional contract items, installation of an additional LAHSO system, and revision to construction phasing plan. (Also see Item M-7 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1882 from City Manager.

Amendment to Task Order – Recreational Design and Construction, Inc. – Project 10247 – Dolphin Isles Improvements/N.E. 33 Avenue (M-9)

A motion authorizing the proper City officials to execute an amendment to the Task Order with Recreational Design and Construction, Inc. in the amount of \$3,450 for additional design services relating to the Dolphin Isles improvements for N.E. 33 Avenue, between N.E. 19 Street and N.E. 29 Street. (Also see Item R-8 on this Agenda)

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1878 from City Manager.

**Contract Amendment – Miller Legg & Associates, Inc. –
Project 15160 – Improvements for Joseph C. Carter Park (M-10)**

A motion authorizing the proper City officials to execute an amendment to the contract with Miller Legg & Associates, Inc. in the amount of \$92,600 for the completion of the design of the improvements to Joseph C. Carter Park, services during construction and delay compensation.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1808 from City Manager.

**Revocable License Agreement – One New River Plaza – Use of
City-Owned Property as a Public Open Air Dining and
Beverage Service Area (M-11)**

A motion authorizing the proper City officials to execute a revocable license agreement with One New River Plaza to authorize use of city-owned property as a public open air dining and beverage service area.

Recommend: Motion to approve.

Exhibit: Memo No. 00-1816 from City Manager.

**Final Adjusting Change Order and Settlement
of all Outstanding Claims – R. O. Contracting, Inc. –
Project 9021 – Maintenance Dredging of the Tarpon River (M-12)**

A motion authorizing the proper City officials to execute a Final Adjusting Change Order with R. O. Contracting, Inc. in the amount of \$118,000 for maintenance dredging of the Tarpon River from Andrews Avenue to the New River that occurred under various related projects from 1993 through 1996.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1926 from City Manager.

**Transfer of General Fund Contingencies – Condemnation of
Right-of-Way over the State Road A-1-A/N.E. 19 Street Alley (M-13)**

A motion approving the transfer of \$100,000 from General Fund Contingencies to P10292.331, which is the 19th Street Alley Condemnation project, for the condemnation of the right-of-way over the State Road A-1-A/N.E. 19 Street Alley.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 00-1929 from City Manager.

PURCHASING AGENDA

Purchase Order – Automated Fuel Management System (Pur 1)

An agreement to purchase an automated fuel management system.

Low Responsible Bidder: National Business Control Systems, Inc., Irving, TX
Amount: \$80,190.00 (estimated three year total)
Bids: 174/3
Exhibits: Memorandum No. 00-1871 from City Manager

The Purchasing Division has reviewed this item and agrees with the recommendation.

Proprietary Purchase – Software Upgrade for Telident 911 Alert Location ID System (Pur 2)

An agreement to purchase software upgrade for Telident 911 alert location ID system.

Low Responsible Bidder: Telident Systems, Minneapolis, MN
Amount: \$14,550
Bids: N/A
Exhibits: Memorandum No. 00-1873 from City Manager

The Purchasing Division has reviewed this item and agrees with the recommendation.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Nos. M4, M5, M6 and M12 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Executive Airport Task Order – Kimley Horn & Associates – Tall Structure Evaluation(M-4)

Commissioner Moore asked the City Attorney if there was any way to review the impact and pass costs on to developers if buildings impacted the air space. He understood this study would cost \$63,000, and there were unknown costs involved if the radar was impacted, so he felt the City should have some method of recapturing those costs. The City Attorney imagined some of the affected structures could be approached and requested to assist with the funding of this study. He did not know if an impact fee could be imposed related to tall buildings, but the necessary evaluations of structures were calculated in the fee structure for inspections and permits, so the mechanism might be broader in range than an impact fee. The City Attorney said he would work with development review staff to develop a mechanism to recapture costs.

Mr. Bill Crouch, Airport Manager, explained that this initial effort was intended to gather information in order to explore alternatives and develop a recommended policy for taller structures in the downtown area. The City Attorney agreed that in order to adjust fees, staff would need this information to demonstrate a relationship.

Motion made by Commissioner Moore and seconded by Commissioner Smith to approve Consent Agenda Item No. M-4 as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Transfer of General Fund Contingencies and Agreement –
Florida Atlantic University (FAU) –
Small Business Development Center (M-5)**

Commissioner Katz thought this sounded like a good project, but she wondered why it had not been budgeted in the first place. Mr. Pete Witschen, Assistant City Manager, explained that this project had not been anticipated during the budget process. Rather, it had come out of a workshop discussion with the City Commission with respect to economic development. He noted that when the project was implemented, it was a policy decision for the Commission, although he felt it would be wise to implement at this time in order to maximize resources.

Commissioner Smith asked if the \$15,000 covered the remainder of this fiscal year. Ms. Eve Bazer, Economic Development, replied that it would cover a 12-month period. Mayor Naugle inquired about the individuals who would be doing the work for FAU. Mr. Witschen introduced *Ms. Nancy Young*, Director, and *Mr. Jack Hudson*, Associate Director.

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith that Consent Agenda Item No. M5 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Agreement – Urban League of Broward County and
Broward Employment and Training Administration (BETA) –
Community Work Experience Program (M-6)**

Commissioner Katz asked if anyone would be tracking this program. Mr. John Panoch, Personnel Director, stated that he would be tracking this along with the Urban League.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-6 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Final Adjusting Change Order and Settlement of all
Outstanding Claims – R. O. Contracting, Inc. – Project 9021 –
Maintenance Dredging of the Tarpon River (M-12)**

Commissioner Katz noted that it had taken 5 to 7 years to bring this project to fruition, and she thought staff should provide an explanation. Mr. Hector Castro, City Engineer, stated that he had to fault the contractor. He noted that the project had occurred prior to his tenure, but he had reviewed the file and documents. Based on his review, it appeared several attempts had been made by the City to resolve the issues, but the contractor had made some rather elaborate claims of over \$250,000 in additional work. However, the contract had been very specific and had been watched very closely. Mr. Castro believed this same settlement offer had been made in 1994, but the contractor had not acted upon it at that time. Since then, the contractor had reconsidered and agreed to settle.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M12 be approved as recommended. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Settlement Agreement – New River Associates, Ltd. (M-14)

A motion was presented authorizing the proper City officials to execute a settlement agreement with New River Associates, Ltd.

As mentioned earlier, Mayor Naugle reiterated that this item had been withdrawn.

Property Conveyance – Northwest Neighborhood Improvement District (NWNID) – Parcels for Construction of Single-Family Homes(PH-1)

A public hearing was scheduled to consider a resolution confirming Resolution No. 00-169 to convey certain public properties to the NWNID for subsequent transfer to eligible homebuyers for construction of new, affordable single-family homes. (Also see Item NWNID on the Conference Agenda).

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Katz wondered if six parcels at a time could be conveyed until construction commenced to give builders impetus to begin work sooner. Ms. Faye Outlaw, Housing & Community Development Manager, stated that the way the houses were assigned for construction was as they qualified with private lenders. Therefore, the houses would be constructed on different schedules, and a block of lots would not be conveyed to any single owner or builder. Rather, each lot would be conveyed to the individual buyers, which dictated the construction of the homes.

Commissioner Smith wondered how long it would take for single-family homes to be constructed on the 28 lots. Ms. Outlaw could not predict the schedule since it relied upon the buyers obtaining their financing. She noted that these lots would be used for both replacement housing and for first-time homebuyers.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CONFIRMING RESOLUTION NO. 00-169, WHICH DETERMINED AND DECLARED THE INTENTION TO CONVEY CERTAIN PUBLIC PROPERTIES TO THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT FOR DEVELOPMENT OF NEW AFFORDABLE HOUSING, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEED OF CONVEYANCE TO THE NORTHWEST NEIGHBORHOOD IMPROVEMENT DISTRICT FOR SUCH PROPERTIES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Rezone B-1 and RMM-25 to CF – The Salvation Army/
Broward County Negro Beauticians Association (PZ Case No. 20-Z-00) (PH-2)**

At the Planning and Zoning Board regular meeting on November 15, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the public hearing was published on December 22 and 29, 2000.

Applicant: The Salvation Army/Broward County Negro Beauticians Association
Request: Rezone B-1 and RMM-25 to CF
Location: East side of Northwest 14th Avenue between West Broward Boulevard and Northwest 1st Street, and southwest corner of Northwest 14th Avenue and Northwest 2nd Street

Mayor Naugle called for those who wished to be heard. Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following appeared:

Commissioner Moore understood there were several lots facing Broward Boulevard, and then there were 2 lots to the rear at Northwest 2nd Street and 14th Avenue. He inquired what those 2 lots would be used for. Ms. Lois Udvardy, Development Services, replied that those lots would be used for parking. Commissioner Moore wondered why the parking would be located so far away. Ms. Udvardy replied that those were the only lots the applicant could purchase.

Mayor Naugle noted that Kiwanis Park was to the south. Ms. Udvardy advised there were vacant lots to the north. Commissioner Moore was concerned about putting a parking lot in the residential area. He pointed out that it was also a block away from the facility.

Mr. Robert Lochrie, representing the applicant, understood the 2 lots were the closest properties available in the vicinity for this parking. He explained that it would be used by employees of the facility rather than customers. Mr. Lochrie had received a letter of support from the owner of 1 of the multi-family properties that would be affected, and security fencing had been agreed to as well. He stated that if there were particular concerns about compatibility, the applicant could meet with Commissioner Moore to discuss them prior to second reading of the ordinance. Commissioner Moore agreed that would be acceptable. He wanted to support this application because he thought it would be a beautiful facility, but he did have concerns about this parking.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-1

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM B-1 TO CF, LOTS 16 THROUGH 22, BLOCK 1, "SEMINOLE FOREST", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 14, PAGE 16, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND TO REZONE FROM RMM-25 TO CF, LOTS 23 THROUGH 26, BLOCK 1 AND LOTS 25 AND 26, BLOCK 9, OF SAID "SEMINOLE FOREST", LOCATED AT THE NORTHEAST CORNER OF WEST BROWARD BOULEVARD AND NORTHWEST 14TH AVENUE AND AT THE SOUTHWEST CORNER OF NORTHWEST 2ND STREET AND NORTHWEST 14TH AVENUE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Application for Dock Waiver of
Limitations – The Abdo Companies – 518 West Las Olas Boulevard (PH-3)**

A public hearing was scheduled to consider a resolution authorizing the proper City officials to waive the limitations of ULDR Section 47-19.3(B) and (C) as provided by Section 47-19.3(D) in order to allow The Abdo Companies to construct 7 fixed piers and 20 dolphin pilings that extend a maximum distance of approximately 41.7 feet and 56.3 feet, respectively, from the property line into the New River. Notice of the public hearing was published on December 22 and 29, 2000.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Bill Nielson, a resident of Sailboat Bend, supported this application. He felt the project was in keeping with Cooley's Landing, and the River was over 200' wide in this location. As the "Yachting Capital of the World," he felt Fort Lauderdale should do everything possible to ensure there was dockage available.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Commissioner Katz did not think this was a good idea and was disappointed that staff had recommended approval. She understood there was a strong current and tidal flow in this area, and she thought this would be dangerous. It was her understanding that developer probably wanted to be able to accommodate 50' vessels, but she was concerned about the safety of boaters.

Commissioner Hutchinson agreed with Commissioner Katz and did not intend to support this application. She did not see any extraordinary circumstances. Commissioner Smith did not think any unsafe situation would be created, but he also did not recognize any extraordinary circumstances. He thought it might be a good idea anyway, but he felt the Marine Advisory Board might want to consider the dock waiver process and provide some advice about improving it.

Mayor Naugle said he had once served on the Marine Advisory Board, and the criteria had seemed to be whether or not there was sufficient space and neighborhood support. He noted that many of the Board members had vast experience in boat handling, and those members had supported the application. Mayor Naugle believed the reason to approve this application was for safety purposes because the situation would be unsafe without the pilings. He pointed out that 50' or 55' vessels were permitted to tie up to 25' pilings due to the width of the River in this location, but it would not be as safe as it would be with 50' pilings. In addition, there would be a net loss of dockage space as a result of this development. Although Mayor Naugle was not thrilled with the apartments being constructed, he felt this was a positive aspect of the project.

Commissioner Moore agreed with Mayor Naugle that placing the pilings as proposed would provide a safer boating environment. He also understood additional permits had been necessary from the Florida Department of Environmental Protection (FDEP) and the U.S. Army Corps of Engineers, which had provided additional reviews as to navigation.

Commissioner Hutchinson asked if these matters were presented to the Planning & Zoning Board. Mr. Jamie Hart, Supervisor of Marine Facilities, replied that this project had involved a Level I review by Planning staff, but not the Board.

Commissioner Katz felt that lighting should at least be provided if the Commission intended to approve the application, but she thought the public was more important than those who might be docking in this location. She also did not feel reflectors would be sufficient. Mr. Abdo, applicant, said he would agree to installing lighting on the pilings.

Commissioner Moore pointed out that the back-up material indicated there would be no significant impacts on navigation. He supported the idea of installing lighting, but he was comfortable that safety had been well considered. Commissioner Smith asked Mr. Hart to comment on the safety of the proposal. Mr. Hart replied that the channel in this location hugged the opposite side of the waterway, so there was actually less clearance at Cooley's Landing. He noted that as mentioned by Mayor Naugle, vessels could be docked 64' from the property land. However, this would be restricted to the submerged land lease area which measured about 56'.

Mayor Naugle asked what would happen if the complex on the other side of the River wanted to have similar docks. Mr. Hart replied that he would be concerned about that because of the location of the channel. Mayor Naugle stated that the current in this area of the River was actually not as strong as it was near the bridges because the current slowed in the wider areas. In fact, the current was most strong at the railroad bridge and at the Andrews Avenue bridge. Mr. Hart agreed that was true, and the pilings were designed to “fend” off, which was safer than marginal or horizontal docking. Mayor Naugle felt the lighting was a good idea nevertheless, and Mr. Hart agreed.

Commissioner Katz did not think it would be fair to deny a similar request from the owners of property across the River. Mr. Hart said he examined requests on a case-by-case basis, but he would have some concerns because the channel was closer to that side of the waterway. Mayor Naugle agreed perpendicular docks on the other side of the River might be a problem because of the proximity of the channel, while that was not the situation in this case.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-2

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW ABDO COMPANIES, INC., A FLORIDA CORPORATION TO CONSTRUCT AND MAINTAIN SEVEN (7) FIXED PIERS AND TWENTY (20) DOLPHIN PILINGS, THAT EXTEND A MAXIMUM DISTANCE, MORE PARTICULARLY DESCRIBED BELOW, FROM THE PROPERTY LINE INTO NEW RIVER FOR THE PROPERTY LOCATED AT 518 W. LAS OLAS BOULEVARD MORE PARTICULARLY DESCRIBED BELOW.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, and Mayor Naugle. NAYS: Commissioners Hutchinson and Katz.

Amend ULDR Section 47-24.2 - Site Plan Development Permit (O-1)

An ordinance was scheduled for presentation amending ULDR Section 47-24.2, “Site Plan Development Permit,” of the Code of Ordinances of the City to authorize the City Commission to approve amendments to development plans, but the item was **withdrawn** from the agenda.

Application of ULDR Section 47-26.A.1 and Site Plan Approval/Modification of Yards/ Conditional Use/RMH-60 – L’Ambiance Beach Ltd. (PZ Case No. 91-R-00) (O-2)

At the October 18, 2000 Planning and Zoning Board regular meeting, it was recommended by a vote of 8 to 1 that the following applications (a and b) be approved. Ordinance No. C-00-82 was published on November 30, 2000 and December 7, 2000. On December 12, 2000, the City Commission deferred first reading of the ordinance and consideration of the resolution to December 19, 2000 by a vote of 5 to 0. On December 19, 2000, the City Commission approved this ordinance on first reading by a vote of 3 to 2 (Katz and Naugle).

Applicant:	L’Ambiance Beach, Ltd.
Request:	a) Application of ULDR Section 47-26.A.1; and

b) Site plan approval/modification of yards/conditional use/
RMH-60

Location: 4240 Galt Ocean Drive

Having affirmed to speak only the truth by virtue of an oath administered by the City Clerk, the following individuals offered comment on this item:

Ms. Courtney Callahan, Attorney representing the applicant, referred to the staff conditions. It was her understanding that condition #2 relating to the contribution for landscaping improvements in the amount of \$100,000 called for payment prior to issuance of building permits. As to condition #3, Ms. Callahan stated that the building had been reduced to 23 stories with a maximum height of 238', and 126 units. The back up, however, had indicated 120 units, and she wanted to clarify that for the record.

Ms. Cecelia Hollar, Construction Services, believed payment for landscaping improvements had been intended to be made at the time of final DRC approval. Staff had no objection, however, to changing that to the time of permit issuance. Ms. Hollar confirmed that 6 units would be removed, for a total of 126 units.

Commissioner Hutchinson understood the \$100,000 landscaping improvements amount be paid at the time of DRC approval now. Ms. Callahan had no objection.

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-00-82

AN ORDINANCE APPROVING THE APPLICATION OF A PRIOR ZONING REGULATION TO PERMIT PROPERTY DESCRIBED AS LOT 22, BLOCK 34, OF "GALT OCEAN MILE ADDITION NO. 2", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 58, PAGE 24, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED ON THE EAST SIDE OF GALT OCEAN DRIVE, NORTH OF NORTHEAST 41ST STREET AND SOUTH OF THE INTERSECTION OF GALT OCEAN DRIVE AND STATE ROAD A-1-A, WHICH PROPERTY IS ZONED RMH-60, TO BE USED FOR A MULTIPLE FAMILY STRUCTURE THAT EXCEEDS THE 200 FOOT LENGTH LIMITATION PURSUANT TO SECTION 47-26.A.1 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Smith, and Moore. NAYS: Commissioner Katz and Mayor Naugle.

Amend Chapter 20, Division 3 – Police and Firefighters Retirement System – Ratification of Collective Bargaining Agreements (O-3)

An ordinance was presented amending Chapter 20, Division 3 of the Code of Ordinances of the City respecting the Police and Firefighters Retirement System, amending definitions; modifying the retirement benefit accrual formula for certain police officers; adjusting the maximum benefit accruals for certain police officers; providing for revised DROP retirement dates for certain police officers; extending maximum DROP participation periods and eligibility periods for certain members; eliminating a disqualifying event for a Chapter 175 disability retirement for firefighters; providing effective dates. Notice of the proposed ordinance was published on December 24, 2000.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-2

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 3 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESPECTING THE POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM AMENDING DEFINITIONS; MODIFYING THE RETIREMENT BENEFIT ACCRUAL FORMULA FOR CERTAIN POLICE OFFICERS; ADJUSTING THE MAXIMUM BENEFIT ACCRUALS FOR CERTAIN POLICE OFFICERS; PROVIDING FOR REVISED DROP RETIREMENT DATES FOR CERTAIN POLICE OFFICERS; EXTENDING MAXIMUM DROP PARTICIPATION PERIODS AND ELIGIBILITY PERIODS FOR CERTAIN MEMBERS; ELIMINATING A DISQUALIFYING EVENT FOR A CHAPTER 175 DISABILITY RETIREMENT FOR FIREFIGHTERS; PROVIDING EFFECTIVE DATES.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Amend Section 7-112, "Fire Prevention," and Section 9-53, "Fire Safety Fee Schedule" – Airport Hangars (O-4)

An ordinance was presented amending Section 7-112, "Fire Prevention," and Section 9-53, "Fire Safety Fee Schedule," of the Code of Ordinances of the City to provide that hangars at Executive Airport shall be inspected at least once a year and to provide for a fire inspection fee category for airport hangars. Notice of the proposed ordinance was published on December 24, 2000.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-3

AN ORDINANCE AMENDING SECTION 7-112, "FIRE PREVENTION," AND SECTION 9-53, "FIRE SAFETY FEE SCHEDULE," OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT HANGARS AT EXECUTIVE AIRPORT SHALL BE INSPECTED AT LEAST ONCE A YEAR AND PROVIDING FOR A FIRE INSPECTION FEE CATEGORY FOR AIRPORT HANGARS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Demolition of Buildings (R-1)

At the November 16, 2000 meeting of the Unsafe Structures and Housing Appeals Board, it was recommended that the City demolish the following buildings and assess the properties with costs:

- (1) 737 Northwest 20th Avenue
- (2) 1320 Southwest 24th Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-3

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE "A," BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Building Board-Up and Securing Charges (R-2)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings.

Commissioner Moore believed there had been a dispute with respect to \$1,173 on the property owned by the Dania Economic Development Corporation. He intended to support the resolution with the understanding that staff would clarify that obligation. He understood the owner felt it had handled the board-up. Ms. Lori Milano, Community Inspections Bureau, agreed to investigate.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Executive Airport – Letters of Agreement with the Federal Aviation Administration (FAA) – Land and Hold Short Operations (R-3)

A resolution was presented authorizing the proper City officials to execute Letters of Agreement entitled, Land and Hold Short Operations, with the FAA in accordance with FAA Operations Order 7110.118 and contingent upon review and approval by the City.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-5

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE AIRPORT MANAGER TO EXECUTE LETTERS OF AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION PERTAINING TO LAND AND HOLD SHORT OPERATIONS AT FORT LAUDERDALE EXECUTIVE AIRPORT. _____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Executive Airport – Consent to Sublease of Parcel 8-F-2 Between Innkeepers USA Trust and AT&T Wireless Services of Florida, Inc. (R-4)

A resolution was presented authorizing the proper City officials to consent to the sublease between Innkeepers USA Trust and AT&T Wireless Services of Florida, Inc.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-6

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A CONSENT AND APPROVAL TO SUBLEASE WITH INNKEEPERS USA LIMITED PARTNERSHIP AND AT&T WIRELESS SERVICES OF FLORIDA, INC., PROVIDING THAT THE LESSEE OF PARCEL 8F-2 AT FORT LAUDERDALE EXECUTIVE AIRPORT IS AUTHORIZED TO SUBLEASE A PORTION OF THE LEASE. _____

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Street Name Addition – Northeast 56th Street from U.S. 1 (Federal Highway) to Dixie Highway shall also be known as “Brent Jett Boulevard” (R-5)

A resolution was presented requesting that Northeast 56th Street, from U.S. 1 (Federal Highway) to Dixie Highway shall also be known as “Brent Jett Boulevard.”

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE THAT THE PORTION OF N.E. 56TH STREET FROM U.S. 1 TO DIXIE HIGHWAY SHALL ALSO BE KNOWN AS "BRENT JETT BOULEVARD".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Street Name Change – Castilla Island (Southeast 1st Street)
to be known as Castilla Isle (Southeast 1st Street) (R-6)**

A resolution was presented requesting that Castilla Island (Southeast 1st Street) shall become Castilla Isle (Southeast 1st Street).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-8

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE THAT CASTILLA ISLAND (S.E. 1ST STREET) SHALL NOW BE KNOWN AS "CASTILLA ISLE".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

**Street Name Change –
Aguavista Boulevard to be known as Aqua Vista Boulevard (R-7)**

A resolution was presented requesting that Aguavista Boulevard shall become Aqua Vista Boulevard.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-9

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO PROVIDE THAT AGUAVISTA BOULEVARD SHALL NOW BECOME "AQUA VISTA BOULEVARD".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Local Agency Project (LAP) Agreement – Florida Department of Transportation (FDOT) – Northeast 33rd Avenue Sidewalk (Dolphin Isle) (R-8)

A resolution was presented authorizing the proper City officials to execute a LAP with FDOT for the Northeast 33rd Avenue sidewalk project located in the Dolphin Isle neighborhood. (Also see Item M-9 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO FILE A LOCAL AGENCY PROGRAM APPLICATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT PERTAINING TO THE DESIGN AND CONSTRUCTION OF IMPROVEMENTS TO FACILITATE PEDESTRIAN AND BICYCLE TRAFFIC ON N.E. 33 AVENUE FROM N.E. 30 STREET SOUTH TO HUGH TAYLOR BIRCH STATE PARK.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Local Agency Project (LAP) Agreement – Florida Department of Transportation (FDOT) – Northeast 34th Avenue Sidewalk (Bermuda Riviera) (R-9)

A resolution was presented authorizing the proper City officials to execute a LAP with FDOT for the Northeast 34th Avenue sidewalk project located in the Bermuda Riviera neighborhood.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO FILE A LOCAL AGENCY PROGRAM APPLICATION WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A LOCAL AGENCY PROGRAM AGREEMENT PERTAINING TO THE DESIGN AND CONSTRUCTION OF SIDEWALK IMPROVEMENTS ON THE EAST SIDE OF N.E. 34 AVENUE BETWEEN N.E. 36 STREET AND N.E. 42 COURT IN THE BERMUDA RIVIERA COMMUNITY.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk listed the appointees/reappointees who were the subjects of this resolution:

Beach Redevelopment Advisory Board	George LeMieux
Board of Trustees, General Employees Retirement System	Mark Burnam
Citizens' Review Board	Fenel Antoine Joe Robinson Patricia Mayers Dean Trantalis Donald Bastedo Captain Lamberti Detective Ward Sergeant Sheehan
Civil Service Board	Art W. Kennedy
Community Appearance Board	Diane L. Schuster Tom Catalino Steven LaFonte Steve Hillberg Lee Ruckman Miranda Lopez Christopher Eck Ayisha Okafor Chuck Radkowski Shirley Chatham John McNamara
Community Services Board	Harvey Meltzer
Downtown Development Authority	Gale Butler Jack Loos
Economic Development Advisory Board	John Pisz Rocky Rodriguez Sidney Calloway Eason Dobbs Jim Carras
Insurance Advisory Board	Scott A. DiSalvo Steve Botkin Fritz Richter, Jr. Ted Hess

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Hutchinson, Katz, Smith, Moore, and Mayor Naugle. NAYS: none.

At 7:09 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

Lucy Masliah
City Clerk